

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND**

GEORGE FLAHARTY	:	
Petitioner	:	
v	:	Civil Action No. WDQ-05-1419
BOBBY JO FLOCKER	:	
Respondent	:	

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**MEMORANDUM**

The above-captioned mandamus action was filed on May 23, 2005. The pro se pleading consists of a copy of Petitioner's last will and testament and a civil cover sheet. The only discernible allegation is that Respondent, who is Petitioner's step-mother, is "refusing to act as Petitioner's power of attorney" and refusing to accept Petitioner's correspondence.

This Court is obliged by 28 U.S.C. §1915A to screen prisoner complaints and dismiss any complaint that is frivolous, malicious, or fails to state a claim upon which relief may be granted. A writ of mandamus is an extraordinary writ that is only available in cases where no other means exist by which the relief sought could be granted. *In re Beard*, 811 F.2d 818, 826 (4th Cir.1987). In order to be entitled to a writ of mandamus, Petitioner must establish that the "officer or employee of the United States or any agency" owes him a duty. 28 U.S.C. § 1361. There is no allegation in the instant petition regarding an officer or employee of the United States. Accordingly, the petition shall be dismissed by separate Order which follows.

June 3, 2005  
Date

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/s/  
William D. Quarles, Jr.  
United States District Judge